



MITCHELL SILBERBERG & KNUPP LLP
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Eleanor M. Lackman
Partner
(212) 878-4890 Phone
(917) 546-7675 Fax
eml@msk.com

September 11, 2023

By ECF

Hon. Sarah L. Cave, U.S.M.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1670
New York, NY 10007-1312

Re: McGucken v. Lonely Planet Global, Inc., No. 23 Civ. 4293 (ALC) (SLC)

Dear Judge Cave:

Our firm represents defendant Lonely Planet Global, Inc. ("LPG") in the above-referenced matter. We write with respect to the settlement conference scheduled for October 4, 2023. When the parties met with Your Honor on July 17, 2023, everyone agreed that the settlement conference would be over Zoom, with video.

In recently planning for the conference, we noticed that the scheduling order issued on July 26, 2023 (ECF No. 40) indicates that the conference will take place in person. LPG's representative, relying on my contemporaneous report from the July 17 conference, planned travel that would allow him to participate only remotely. I contacted counsel for plaintiff on September 5, 2023 to ask whether he was in agreement that the conference should or should not be in person. I received no response.

Accordingly, we write without consent of plaintiff to request that the settlement conference be held via Zoom (with video) on October 4. We thank the Court for its consideration of this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'EML', with a stylized flourish.

Eleanor M. Lackman

EML/kld

cc: All counsel of record (*via* ECF)